

**Special and Regular Meeting of Tuesday, June 10, 2008**  
City Council Chambers, One Twin Pines Lane

**SPECIAL MEETINGS**

**CLOSED SESSION - 6:00 P.M.**

- A. Conference with Legal Counsel pursuant to Government Code Section 54956.9, Anticipated Litigation, Significant Exposure to Litigation: One case - Claim of Schoening et al.: Marburger Road
- B. Conference with Labor Negotiator, Jack Crist, pursuant to Government Code Section 54957.6: MMCEA and AFSCME
- C. Conference with Real Property Negotiator Crist pursuant to Government Code Section 54956.8: Six parcels - APN Nos. 045-182-050, 045-0182-060, 045-182-180, 045-182-190, 045-182-260, a portion of 045-082-250 and 044-222-180, involving price and terms of payment

Attended by Councilmembers Dickenson, Feierbach, Wozniak, Braunstein, Lieberman City Manager Crist, City Attorney Zafferano, Community Development Director de Melo, Police Chief Mattei, Interim Human Resources Director Kirby, Labor Negotiator Kelly Tuffo, Finance Director Fil and Public Works Director Davis. City Clerk Cook was excused from attending.

**ADJOURNMENT** at this time, being 7:30 P.M., except Item B (Labor Negotiations), which was continued to the end of the meeting.

**Terri Cook**  
**City Clerk**

This meeting not tape recorded or videotaped.

**REGULAR MEETING**

**CALL TO ORDER 8:10 P.M.** (Note: Redevelopment Agency Meeting held prior.)

**ROLL CALL**

COUNCILMEMBERS PRESENT: Feierbach, Wozniak, Braunstein, Dickenson, Lieberman

COUNCILMEMBERS ABSENT: None

Staff Present: City Manager Crist, City Attorney Zafferano, Community Development Director de Melo, Finance Director Fil, Public Works Director Davis, Police Chief Mattei, Police Captain DeSmidt, Interim Human Resources Director Kirby, Information Services Manager Harnish, City Treasurer Violet, City Clerk Cook.

**REPORT FROM CLOSED SESSION**

City Attorney Zafferano stated that direction was given and no action taken during the Closed

Sessions held earlier. He noted that Closed Session Item B (Labor Negotiations) was continued to the end of tonight's meeting.

## **SPECIAL PRESENTATIONS**

### **Presentation of Government Finance Officers Association Certificate of Achievement for Excellence in Financial Reporting to the Finance Department**

City Treasurer Violet stated that for the tenth year in a row, the Government Finance Office of Accounting (GFOA) awarded Belmont's Finance Department with an Achievement for Excellence in Financial Reporting for the City's 2007 Budget report. He commented that Finance Director Fil and his entire staff are to be commended.

Mayor Lieberman congratulated the Finance Department for this achievement.

## **PUBLIC COMMENTS AND ANNOUNCEMENTS**

**Judy King**, Belmont Park Boosters, invited the community to the 32<sup>nd</sup> annual Summer Concerts in the Park, which will begin on June 15<sup>th</sup>, Father's Day.

## **COUNCIL MEMBER COMMENTS AND ANNOUNCEMENTS**

Mayor Lieberman stated that the Belmont Parks and Recreation Department would be hosting a Magic Night on June 20<sup>th</sup>, which was open to the public.

## **AGENDA AMENDMENTS**

Mayor Lieberman requested that the City Council change the order of the agenda and consider item 6-A (Proposed Request for Approval of Certain Position Additions and Reclassifications of Positions Requested by City Departments) prior to the Budget Hearing, since action on this item would affect the budget. Council concurred.

Councilmember Feierbach requested the removal of Item 4-F (Resolution Directing the City Manager to Enter into a Professional Service Agreement with Dyett & Bhatia, General Plan Consultants, for Preparation of the City of Belmont 2007-2014 Housing Element) from the Consent Agenda for separate consideration.

## **ITEMS APPROVED ON CONSENT CALENDAR**

**Approval of** Minutes of Special and Regular Meeting of May 13, 2008

**Acceptance of** Written Communication: Received May 27, 2008, Notification of Application by PG&E for Approval of Programs and Budgets for 2009-2011 for certain programs, and Notice of Application by PG&E to Recover Rates in Cost to Improve Reliability of Electric Distribution System

**Approval of** Resolution 10018 Authorizing a Side Letter Amendment to the Belmont Police Officers Association (BPOA) Memorandum of Understanding Addressing the Vision Plan

**Approval of** Resolution 10019 Authorizing Acceptance of a Rifle, Valued at \$1,500, Donated by a Belmont Citizen to the Belmont Police Department

**Approval of Resolution 10020 Confirming the Report on the Cost of Repairs and Assessing the Cost of Repairs Against the Parcel of Real Property Located Adjacent to the Areas of Sidewalk Repaired At 2033 Bishop Road**

**ITEM REMOVED FROM CONSENT CALENDAR FOR SEPARATE CONSIDERATION**

**Resolution Directing the City Manager to Enter into a Professional Services Agreement with Dyett & Bhatia, General Plan Consultants, for Preparation of the City of Belmont 2007-2014 Housing Element**

Councilmember Feierbach noted that sustainability and carbon and other gas-neutral footprint issues are two new areas that could be explored relative to the production of additional housing.

Community Development Director de Melo clarified that the consultant has expertise in this area. Greening issues will be addressed through the General Plan Update and through the update of the housing component.

Councilmember Wozniak stated that one of the Green Advisory Committee (GAC) subcommittees will be addressing this area as well. She suggested that the consultant work with the subcommittee and staff.

Community Development Director de Melo clarified that Belmont is not required to produce the 399 units as noted, but is required to plan for how this number will be met.

Councilmember Braunstein expressed concern regarding the large expenditure for this professional services agreement, and requested additional time to review the scope of services.

Councilmember Dickenson clarified that this issue has been discussed over the past couple of years.

Community Development Director de Melo responded that this is the going rate for this component (Housing Element), and there are cost savings due to the fact that Dyett & Bhatia are already working on other components of the General Plan update.

Councilmember Braunstein stated he will meet off-line with staff to review the scope of services in more detail, and he is comfortable with approving the resolution at this time.

**ACTION:** On a motion by Councilmember Braunstein, seconded by Councilmember Feierbach, Resolution 10021 Directing the City Manager to Enter into a Professional Service Agreement with Dyett & Bhatia, General Plan Consultants, for Preparation of the City of Belmont 2007-2014 Housing Element was unanimously approved by a show of hands.

**OLD BUSINESS (Item out of order on agenda)**

**Proposed Request for Approval of Certain Position Additions and Reclassifications of Positions Requested by City Departments - FY 2009 Budget**

City Manager Crist noted that this item was a companion to the proposed 2009 Budget. The departments have articulated their staffing needs, which have been outlined in the report. He recommends approval of the resolution as presented, or it may be modified as desired. He reviewed the new position requests and his recommendations for each. He clarified that not all new positions are being recommended at this time, but the ones that are include the half-time red light photo enforcement officer, reinstatement of a parks maintenance worker position lost in previous budget cuts, a half-time mechanic, two maintenance workers for the new in-house slurry seal program, a junior account technician (temporary position to be made permanent), and a technology specialist (also temporary to permanent).

City Manager Crist noted that of the seventeen requests for position reclassification, seven are recommended. They include increasing the Teen Specialist position's hours from 20 to 30 per week and making the position permanent, a reorganization of five positions in the finance department, and changing the status of the Information Services (I.S.) Manager to department head, thus making I.S. its own department. He explained that the City Clerk currently fills that department's need for a document imaging assistant with the use of interns from Notre Dame de Namur University, or high school volunteers, at no cost to the City.

City Manager Crist clarified that some of the proposed staffing items will require negotiations with bargaining units. He reviewed the items not recommended at this time. He also clarified that there is minimal fiscal impact from those he is recommending for approval, due to a revenue offset, or other administrative charges.

Councilmember Feierbach concurred with the recommendation.

Councilmember Wozniak noted that the City has been asking more from I.S., and she concurred with the recommendation.

Mayor Lieberman stated he could support the park maintenance worker position. He noted that negotiations are ongoing, and he does not want to jeopardize the process if Council takes action on the reclassification requests.

City Manager Crist noted that there is no new revenue to offset the park maintenance position, but he also noted that with the potential of new park development, this position will be needed. He clarified that all items are negotiable, and no reclassifications will be implemented until this matter is discussed with the bargaining units.

**ACTION:** On a motion by Councilmember Feierbach, seconded by Councilmember Wozniak, Resolution 10022 Approving Certain Position Additions and Reclassifications of Positions Requested by City Departments - FY 2009 Budget was unanimously approved by a show of hands.

**RECESS: 8:55 P.M.**  
**RECONVENE: 9:00 P.M.**

Reconvene Belmont Fire Protection District and Redevelopment Meetings to consider Budget.

## **HEARINGS**

### **Public Hearing to Adopt FY 2008-09 Budget**

Finance Director Fil noted that the City Council has previously undertaken strategic planning where details of the proposed budget were discussed. He reviewed the actions to be made at tonight's hearing. He noted that the proposed Master Fee schedule outlines both the current and proposed rates. It is recommended that the Council phase in the new sewer connection fees over a three year period. He stated that the Finance Commission has reviewed the proposed Budget and has unanimously recommended adoption. Additional dialog is needed regarding the hardship issue on sewer charges as previously discussed by the Council. The school funding request has not been included in the proposed Budget, as further direction is needed. The final Budget will be amended to include the staffing items that were just adopted.

In response to Mayor Lieberman, Public Works Director Davis explained the fee schedule for solid waste collection. He noted that the table provided by Allied Waste does not accurately reflect the actual charges for residents who have more than one car, but that it is intended as an example of rates. Finance Director Fil noted that this is the last year of the existing contract and rates.

Councilmember Feierbach suggested erecting signs at various City sites such as Semeria Park and the Emmett House, which would provide status information for the pending projects.

Council concurred to have signs placed, as noted.

Mayor Lieberman opened the Public Hearings for all three agencies. No one came forward to speak.

**ACTION:** On a motion by Councilmember Feierbach, seconded by Councilmember Dickenson, the Public Hearings were unanimously closed by a show of hands.

**ACTION:** On a motion by Director Feierbach, seconded by Director Dickenson, Belmont Fire Protection District Resolution 2008-3 Approving Belmont Fire Protection District FY 2009 Budget was unanimously approved by a show of hands.

**ACTION:** On a motion by Director Feierbach, seconded by Director Dickenson, Belmont Fire Protection District Resolution 2008-4 Establishing the Appropriation Limit for FY 2009 for the Belmont Fire Protection District was unanimously approved by a show of hands.

**ACTION:** On a motion by Director Dickenson, seconded by Director Feierbach, Redevelopment Agency Resolution 473 Approving the Redevelopment Agency FY 2009 Budget was unanimously approved by a show of hands.

**ACTION:** On a motion by Councilmember Dickenson, seconded by Councilmember Feierbach, Resolution 10023 Adopting the City of Belmont FY 2009 Budget Resolution, amended to include a three-year phase-in period for sewer connection fees, the one-year school field watering, and incorporating the staffing items as noted in Resolution 10022, was unanimously approved by a show of hands.

**ACTION:** On a motion by Councilmember Feierbach, seconded by Councilmember Wozniak, Resolution 10024 Adopting Appropriations Limit for FY 2009 was unanimously approved by a show of hands.

**ACTION:** On a motion by Councilmember Wozniak, seconded by Councilmember Feierbach, Resolution 20025 Approving the FY 2009 Master Fee Schedule was unanimously approved by a show of hands.

**ACTION:** On a motion by Councilmember Feierbach, seconded by Councilmember Wozniak, Resolution 10026 Adopting the Solid Waste Collection Fees for FY 2009 was unanimously approved by a show of hands.

**ACTION:** On a motion by Councilmember Dickenson, seconded by Councilmember Wozniak, Resolution 10027 Establishing the Annual Special Tax for Community Facilities District No. 2000-1 (Library) for FY 2009 was unanimously approved by a show of hands.

At this time, being 9:45 P.M., the Belmont Fire Protection District and Redevelopment Agency Meetings were adjourned.

**Public Hearing to Consider a Resolution Approving Collection of Basic and Additional Charges by the San Mateo County Flood Control District to Fund the FY09 Countywide National Pollutant Discharge Elimination System (NPDES) General Program and Election to have Charges Collected on the Tax Roll**

Public Works Director Davis briefly outlined the National Pollutant Discharge Elimination System (NPDES) requirements, and noted that this resolution authorized the collection of fees for Belmont's share of the County's program.

Mayor Lieberman opened the Public Hearing. No one came forward to speak.

**ACTION:** On a motion by Councilmember Dickenson, seconded by Councilmember Braunstein, the Public Hearing was unanimously closed by a show of hands.

**ACTION:** On a motion by Councilmember Feierbach, seconded by Councilmember Dickenson, Resolution 10028 Approving Collection of Basic and Additional Charges by the San Mateo County Flood Control District to Fund the FY09 Countywide National Pollutant Discharge Elimination

System (NPDES) General Program and Election to have Charges Collected on the Tax Roll was unanimously approved by a show of hands.

**Public Hearing to Consider a Resolution Approving the City of Belmont FY09 National Pollutant Discharge Elimination System Charges and Election to have Charges Collected on the Tax Roll**

Public Works Director Davis clarified that this companion action authorizes the charges for Belmont's NPDES program to manage storm water runoff.

Mayor Lieberman opened the Public Hearing. No one came forward to speak.

**ACTION:** On a motion by Councilmember Dickenson, seconded by Councilmember Braunstein, the Public Hearing was unanimously closed by a show of hands.

**ACTION:** On a motion by Councilmember Dickenson, seconded by Councilmember Feierbach, Resolution 10029 Approving the City of Belmont FY09 National Pollutant Discharge Elimination System Charges and Election to have Charges Collected on the Tax Roll was unanimously approved by a show of hands.

**NEW BUSINESS**

**Discussion and Direction Regarding a New Sign Ordinance**

City Attorney Zafferano stated that this new ordinance will require a series of meetings, since it involves many components. Other ordinance amendments will be brought forward in the meantime. He noted that signage is addressed namely in the zoning code, but the municipal code also includes some signs. He clarified that if the ordinance remains in the zoning code, Planning Commission review is required for any amendments. Enforcement is a separate issue. He outlined various issues to be addressed, including size of signs within each zoning district and off-site signage. The existing ordinance is out of date and needs to reflect the values of the community. Reformatting the ordinance may also make it more user-friendly.

Councilmember Feierbach noted that this ordinance has needed updating for several years. She proposed that a subcommittee be formed to address this ordinance, similar to what was done for the noise ordinance.

Mayor Lieberman recommended seeking input from the Chamber of Commerce relative to commercial signage.

Councilmember Dickenson recommended that the members of the Council's Economic Development subcommittee be the Council representatives to this new subcommittee.

Council concurred to form a subcommittee to study this issue, and that the Economic Development subcommittee (Feierbach and Dickenson) be the Council representatives.

Councilmember Wozniak suggested amending the sign size for the Twin Pines fence to four feet by four feet. She also recommended the use of temporary signs to alert people to traffic issues. She also suggested more and better signage for Belmont's paper trails and other walking and biking trails.

Councilmember Feierbach commented that she supports Foster City's model ordinance, as that city is not cluttered. City Attorney Zafferano responded that this may be due to a function of enforcement. Community Development Director de Melo noted that Foster City is a newer city. Public Works Director Davis stated that the layout of the city is also a factor.

## **COMMISSION, COMMITTEE, AND COUNCIL INTERGOVERNMENTAL ASSIGNMENT UPDATES, AND STAFF ITEMS**

### **Verbal report from Councilmembers on Intergovernmental (IGR) and Subcommittee Assignments**

Councilmember Braunstein noted that the proposed Sam Trans bus stops were addressed at a recent Infrastructure meeting. He has spoken with the person requesting the bus stops. This issue has been referred back to the subcommittee for further review.

Mayor Lieberman stated that the Infrastructure Committee's recommendation may differ from the original recommendation.

Councilmember Wozniak noted that the Green Advisory Committee discussed this issue. She also noted that at a recent San Mateo County Library meeting, the annual Budget was approved.

Mayor Lieberman stated that the Fire Chief's evaluation was the primary focus of the recent Fire Commission meeting. Councilmember Dickenson described the California Department of Forestry's wildland high-risk fire program. He noted there is an issue regarding the cancellation of fire insurance policies for residents near wildland and open space.

Mayor Lieberman stated that eleven people attended his monthly Lunch with the Mayor.

### **Verbal report from City Manager**

City Manager Crist stated that interviews for the Parks and Recreation Director were recently held. He noted that an offer has been made to a Human Resources Director candidate, and an announcement will be forthcoming when the contract is signed.

## **MATTERS OF COUNCIL INTEREST/CLARIFICATION**

### **Discussion and Direction regarding potential sports facility or sports facility enhancement (Braunstein)**

Councilmember Braunstein stated that he has been brainstorming ideas to assist with healthy lifestyles. He described a visit he made to the Silver Creek Sportsplex in Santa Clara County, which is a high-quality multi-sport facility. He clarified that although a facility of this size would not be



feasible in Belmont, something similar in concept could be considered in the update of the Parks and Recreation Master Plan, and could provide economic development opportunities. He would like permission to present the idea to the Parks and Recreation Commission.

Councilmember Dickenson stated that he appreciated working with a forward-thinking Council member.

Council concurred to have Councilmember Braunstein explore this concept.

**ADJOURNMENT at this time, being 10:05 P.M., to continued closed session to consider:**

- B. Conference with Labor Negotiator, Jack Crist, pursuant to Government Code Section 54957.6: MMCEA and AFSCME

Attended by Councilmembers Dickenson, Feierbach, Wozniak, Braunstein, Lieberman City Manager Crist, City Attorney Zafferano, Community Development Director de Melo, Police Chief Mattei, Interim Human Resources Director Kirby, Labor Negotiator Kelly Tuffo, Finance Director Fil. City Clerk Cook was excused from attending.

**ADJOURNMENT at this time, being 12:45 A.M.**

**Terri Cook  
City Clerk**

Council Meeting Tape Recorded and Videotaped (except Closed Session)  
Audio Recording 701